

A new Declaration under 37 C.F.R. §1.131 is being submitted herewith that includes further evidence that the subject matter of the present application was conceived prior to the effective date of the Weinberger et al reference (i.e., May 26, 1998), as evidenced by the document of Exhibit A.

The documents attached to the new Declaration and marked as Exhibits B and C collectively evidence on-going development work on the system of the present application, from between a date just prior to the effective date of the Weinberger et al reference, and the November '98 "build date" given on the previously submitted Invention Disclosure document.

The previously submitted declaration explained the reason for the time period between the "build date" and the filing date of the application, and it is believed that this declaration was accepted by the Examiner and is no longer being relied upon by the Examiner as a basis for the present rejection under section 102(e).

In view of the foregoing, reconsideration and withdrawal of the rejection of claims 1-22 and 23 under section 102(e) is most respectfully requested. It is also believed that the rejection of claim 22 under 35 U.S.C. §103(a) (based on Weinberger et al and U.S. 6,061,562) has been rendered moot. Accordingly, allowance of all of pending claims 1-23 is most respectfully requested.

If the Examiner has any questions concerning the present matter, it is requested that the undersigned be contacted at the Examiner's earliest opportunity to discuss same.

Respectfully submitted,

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By: 
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